

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

TIFFANY PENLEY, *individually and
on behalf of others similarly situated,*
and ASHLEY LEWIS, *individually and
on behalf of others similarly situated,*

Plaintiffs,

vs.

DOCKET NO. 1:13-cv-01031-JDB-egb

NPC INTERNATIONAL, INC.,

Defendant.

REPORT AND RECOMMENDATION

Before the Magistrate Judge is the Defendant's Emergency Motion to Plaintiffs to Cease and Desist [D.E. 16]. This matter has been referred for Report and Recommendation [D.E. 17].

On April 8, 2013 this Court conducted a Telephonic Status Conference with the Parties. Based upon the facts of this matter, the parties agreed that the underlying issues have been resolved and the motion should be found as MOOT.

Accordingly, the Magistrate Judge recommends that the Defendant's motion be dismissed as MOOT.

Respectfully Submitted,

s/Edward G. Bryant
EDWARD G. BRYANT
UNITED STATES MAGISTRATE JUDGE

Date: April 8, 2013

ANY OBJECTIONS OR EXCEPTIONS TO THIS REPORT AND RECOMMENDATIONS MUST BE FILED WITHIN FOURTEEN (14) DAYS AFTER BEING SERVED WITH A COPY OF THE REPORT AND RECOMMENDATIONS. 28 U.S.C. § 636(b)(1). FAILURE TO FILE THEM WITHIN FOURTEEN (14) DAYS MAY CONSTITUTE A WAIVER OF OBJECTIONS, EXCEPTIONS, AND ANY FURTHER APPEAL.